

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

In Re:

LLS AMERICA, LLC,

Debtor,

BRUCE P. KRIEGMAN, solely in his  
capacity as court-appointed Chapter 11  
Trustee for LLS America, LLC,

Plaintiff,

v.

692323 CAPITAL, INC., et al.,

Defendants.

NO: CV-11-360-RMP

Bankr. Case No. 09-06194-PCW11  
(Consolidated Case)

Adv. Proc. No. 11-80297-PCW11

DEFAULT JUDGMENT AGAINST  
DEFENDANT DIANE BJARNASON

JUDGMENT SUMMARY

Judgment Creditor: Bruce P. Kriegman, solely in his capacity as the  
Liquidating Trustee under the Confirmed Plan of  
the Debtor

Attorneys for  
Judgment Creditor: Witherspoon Kelley

Judgment Debtor: Diane Bjarnason

Principal Amount of  
Judgment: \$79,810.00 CAD  
\$ 250.00 US

Interest on Judgment: Weekly Average of One-Year Constant Maturity  
(nominal) treasury yield as published by the  
Federal Reserve System (28 U.S.C. § 1961)

This Court, having reviewed the Order of Default previously entered in  
Bankruptcy Court against Diane Bjarnason, Adv. Doc. No. 508, and having  
adopted the Bankruptcy Court's Report and Recommendation, ECF No. 102, and  
being fully advised in the premises, **IT IS HEREBY ORDERED, ADJUDGED,**  
**AND DECREED** that the Plaintiff, Bruce P. Kriegman, solely in his capacity as  
court-appointed Chapter 11 Trustee for LLS America, LLC, shall have judgment  
against Defendant Diane Bjarnason as follows:

1. Monetary Judgment in the amount of CAD \$79,810.00, pursuant to 11  
U.S.C. § 550 and RCW 19.40.071;

2. Transfers in the amount of CAD \$45,110.00 made to Defendant within  
four years prior to the Petition Filing Date are hereby avoided and Plaintiff may  
take all necessary action to preserve the same, pursuant to 11 U.S.C. §§ 544, 550,  
551, and 548(a) and (b) and RCW 29.40.041(1) and (2) and RCW 19.40.071;

3. Transfers in the amount of CAD \$34,700.00 made to Defendant more than four years prior to the Petition Filing Date should be avoided and Plaintiff should be authorized to take all necessary action to preserve the same, pursuant to 11 U.S.C § 544, 550, and 551 and RCW 19.40.041(1) and 19.40.071;

4. All said transfers to Defendant Diane Bjarnason are hereby set aside and Plaintiff shall be entitled to recover the same, or the value thereof, from Defendant Diane Bjarnason for the benefit of the estate of LLS America, pursuant to 11 U.S.C. §§ 544, 550, and 551.

5. A constructive trust is hereby established over the proceeds of all transfers in favor of the Trustee for the benefit of the estate of LLS, America; and

6. Plaintiff is hereby awarded costs (i.e. filing fee) in the amount of \$250.00 USD, for a total judgment of CAD \$79,810.00, plus \$250.00 USD, which shall bear interest equal to the weekly average of one-year constant maturity (nominal) treasury yield as published by the Federal Reserve System.

The District Court Clerk shall enter this Judgment and provide copies to counsel, Defendant, and Judge Patricia C. Williams, and terminate Diane Bjarnason as a Defendant in this case.

**DATED** this 17th day of September 2013.

s/ Rosanna Malouf Peterson  
 ROSANNA MALOUF PETERSON  
 Chief United States District Court Judge